

10/2/92

Jim:

Only four of the fifteen sites are in NJ. The remainder are in NY. Two of the four NJ sites, Desoto, Inc. and Essex Chemical, are subject to RCRA corrective action, although no action (issuance of an EPA order or permit) is planned in the near future.

Please provide the data for the NY sites and I will send it to Superfund.

B.T.

Barry:

3 of the 11 NY sites ~~have notified~~ could be subject to RCRA corr. action involvement. The other 8 have no RCRA involvement or history. The 3 sites are:

George Robinson - filed ~~for~~ Part A, evidence of contamination financial security is questionable - RCRA might have to refer to CERCLA due to inability of facility to fund corr. action

Site is on NYS Inactive HW Disposal Registry
Westchester County Sportman's - We will do initial RCRA investigation

We might issue 7003 Order to this site. However, recent Court ruling ~~states~~ that clouds the legality of EPA issuing Order to this site.

Because of uncertainty about legal issues, I recommend that CERCLA continue its investigation

Electro Motive Res. - Company submitted Part A under different I.D. #. We are investigating whether it is RCRA regulated